P.F. 94 of 97

G. R. S. IX-5]

Previous references. 1891-92

~~192~~

(Land Revenue)

File No. 107 of 91

Serial Nos. 1 to 8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 8

M. ~~A~~ B for September 1895

SUBJECT.

Appeal of Kanibasaiya and others regarding the Patels of Honnalkuge, Chennagiri Taluk.

Considered

WD 2223—GPB—20,000—11-6-30

Indexed

Petition No 5805 of 2-12.

Appellants
1. Karibasaiya
2. Rangappa
3. Kottappa
4. Basappa

Respondents
1. Balasangappa
2. Balabasappa
3. Ramappa, minor by guardian Balasangappa.

Appeal against the decision of the Superintendent of Rayar Division regarding the Patel of Honnebagi, Chamrajnagar Taluk.

List of English papers.

(1) Deputy Commr's report
(2) Division Superintendent's judgment dated 28th September 1869.
(3) do do dated 27th September 1867 remanding the case, with decree
(4) Deputy Supt's judgment dated 14th May 1867.
(5) Abstract prepared at the Supt's office
(6) Petition of Karibasaiya to Govt dd 26.1.70 with enclosures.

Not to be translated

(7) Appellants' petition & Exhibits 14.2.92.

(8) Do do 26.2.94.

(9) Official Memorandum calling for records & a full Report.

(10) Chief Secretary's endorsement - 8.12.8.92

So long ago as 1837 the claim now agitated by the appellants was rejected for want of proof. Both the Lower Courts have found that it was Chendra Sekharayya and his father who were doing duties of this Palaka for the previous thirty years - His state of things has now continued during the last 26 years during which Chendrasekharayya & Narasayya who had been in the interim rejected as Palaka died and his minor son the present Srd respdt has been appointed - there is no reason to disturb this long enjoyment. This appeal is dismissed.

6.3.95

Petitioner asks for an exact copy in English of the Convention minutes. He has been granted an endorsement in Kanarese, but he seems to be not satisfied with it.

The endorsement in this case is as follows in original order. Sometimes, endorsements, animadversions on the conduct of subordinate officers and such details as are considered unnecessary for purposes of endorsements are omitted. When re-drafts of orders were being submitted to the Committee, for approval, endorsements also used to be submitted with them for approval, but now, that re-drafts are not required to be submitted to Committee, the endorsements are examined & passed by the Revenue Secretary or the Under Secretary. Endorsements may therefore be taken as conveying the decision of Govt.

Govt issuing the Superior executive Authority, in the majority of cases it will be sufficient to communicate the final decision in the form of an endorsement

Whether the minutes of Committees are drafted in the form of a decision or of proceedings for communication to subordinate officers, they are rules issued by these as executive officers, and cannot be treated in the same way as judgments of civil Courts, which are pronounced in open Court & may be obtained by any person & discussed by any person."

It seems to me, therefore, that a ~~copy~~ party cannot claim a copy of decision or proceedings as of right.

In this case the last learn, nothing more than the Sanction order, but we will be hearing ~~that~~ the public (a copy, then a party is as good as being ~~for~~ at the disposal of the Govt), that the Govt had not decided a case for 25 years. Though this is a fault ~~of~~ ~~misfeasance~~ I do

5

not think it expedient to [illegible] authorise, but left in the hands of a party. This may not be a good reason to oppose it, but if there are other reasons based on grounds of public policy to justify the draft order under consideration in regard to the applications, there need be no departure in this instance.

Submitted for order.

14/9

I decline with

Regret containing

a list of papers

of which copies

could be given

to Councillors the

next day. Let me

see it as soon as

it comes back.

14-9-95

Submitted with the draft agreed to, which has been approved by the 2nd Councillor

14/9 Please say

[illegible] I [illegible] to

see the [illegible] a copy

of which has been

[illegible]

~~D.R. Vol. II~~
~~1012~~

(1) Stamp Correct
(2) Copy of decree produced.
(3) The appeal is against the decree of the Lake Nagar in the Suit in A.S. No. ~~7~~ 1869
The date of the decree is 28th September 1869.
The appellants allege that he was by fraud kept out of appeal the Lake Chief Court. Prays to Hon. Court to set aside the decree.

The Patta Office of the Village has been looked by after for the years 35 years by from 1835 to 1870 by the Petitioners Grandfathers (1) Ramaiah (2) Kallaiah & Narasaiah by the first Petitioner & by Gundamaraina Kallaiah (the 3rd petitioners grandfather) the fact of this is proved by the records & also by the Patta Book in which Kallaiah & Narasaiah name is entered

(General Serial No. 92.)

1892.3

No. 3865 & 809

Name of Petitioner (1) Kariacarra (2) Narrapa (3) Narrapa (4) Kaccaya

Village. Narrapa Nagri

Taluk. Cheranagri

District. Chingleput

Date of Arzi. 14-2-92 & 7-3-92

Date of Receipt. 18-2-92 & 20-6-92

Date of Disposal.

No. of Enclosures. Four — one

ABSTRACT.

Drafted 21/7/92

~~L.R. 107-91-1~~

(2) In the Tahsil Register of
the 1875 the 3rd Column
shows that out of the
persons enumerated in
the said Column No 1st
named Nanj Manlappa
was Appellant-opponent & that
he was looking after
the office with the consent
of the 2nd, 3rd & 4th named
the grand fathers of the
Petitioners The Son of this
Manlappa by name Nanj
Hullappa & Chandrappa
Chendrashekrad of the
village having been, Cousins,
in 1865 when the Inam-Abolition
Register was being prepared,
they in themselves feigned a
dispute, held Enquiries
without any reference to
the Petitioners' Men, decided
that the said Chandrappa
Chendrashekrad only should
look after the Office, while
the Men of Commissioner
Elliot on enquiry & Records
sent up by the Amildar
Examined them and in his
Order No 2410 quoted above
He directed the Petitioners'
Men alone who were actually

looking

(General Serial No. 32.)

189

No.

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT.

(4) There are strong reasons shewing that this Chendraseekaran was living after the dates which he never died in Fall 1870 There is no mention in the Patelli Register &c

(5) The 1st Petitioner & Ranjeat appealed to the Nagar Dt Commr for letter reversing the decision quoted above in 1867; witnesses were examined & the records sent down to the lower authorities for issuing a new decree order & the said lower Court decided in favor of Ranjeat - This decision cancells major Elliots orders of 1867.

(6) Against this decision appellant Ramalapah Lon appealed to the same Nagar Dt Chief and got a decision setting aside the 2d order in favor of the Petitioners.

(7) The result of the appeal to the late Chief Commr preferred by the Petitioners people is to

yet

10 8th March

(General Serial No. 52.)

189

No.

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT.

Yr Honors

(8) In Re Execution of the decree referred to in para 6 of the Petitioners petition of Re petitioners deceased husband of Re Patel and has commenced to look after Re duties from 1871. After the passing of Re death of Respondent and excepting of Re dispute among Re heirs of Re petitioners No 21 years have elapsed & there is nothing to say against Petitioner is however a note in Re Patel's Register of

of the village & the effect
that in 1880 when Putika
Polgi was settled, Kari-
vasiah and Pullaraiyah
petitioned that the Patels
huk belonged to the Petitioners.
Within the last 12 years
the Petitioners have also
petitioned this office
(9) Briefly the complaints
is that the Major Elliot's
order dated 14th May 1869
confirming the huk to
Shantagiri Chenna Venkat
was were passed
by mistake, which will
be manifest by a perusal
of records ending with
the same office's order
dt. 10-8-85 No. 2410
Confirming the Boya
Putta huk to the Petitioners
Pray that a perusal
of the above records may
kindly be made & the
fact of a same by
Commr. having passed
two Contradictory orders
Considered & New
revised orders issued -

P.T.O.

12 — 4 Sheets

(General Serial No. 32.)

189

No.

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT. 17.3.91

Submits copy of the order appealed against and states, as follows, the reasons for not presenting the appeal in time.

1. That he came to Bangalore to present his appeal in person to the Chief Commissioner but was taken seriously ill & therefore despatched his appeal by Post and went away.

What he means by this I do not understand

To take further steps he was prevented by the death of Ramjeeah & ~~his sons~~ the memory of his sons and absence abroad of late Record keeper Rama Row who had all the papers connected with the case. Steps to obtain copies for those papers. Also he himself met with series of afflictions by death of his two wives in succession

---

Order appealed against

In Re Rev Court of the Supdt. of Nagar Dist

Appeal No. 7 of 1869-70

Present Captain A.C. Hay Supdt.

28th Sept 1869: Camp: Shimoga

Appellant

14

5 of 1

(General Serial No. 32.)

189

No.

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT.

appellant.

Mandiah, son of
Chendraiah, Chenapa

Respondents.
1. Ramiah
2. Narsaiah } Konabapa
Village
Chennapa &c.

The appellant prefers
his suit against
the decision of the Dy
Commr dtd 15th March 1869
in Original Suit No. 37
of 1866-67, confirming

the Patell of Hanmatage
village of Rajagondaha
hadgholli to Rangeas
the heir of the 18th Respdt.
and stating that he
was the hereditary
Claimed the office —

The accounts received with
the Shemoja Dy Comrs
Docket No. 443 & were
148
read

Each party having set
forth his Claim for the
office, the Court Entertains
great doubt and is
obliged to give a decision
which will suit the
Convenience, rather
than to decide on the
truth. It appears that
the appellant enjoyed
some of the Umelli Cans
but it is doubtful
whether he enjoyed the
office with or without
the Consent of the Respondents.
the State Rasike has been
looking after Patell office
for several years while

the

16 6th Sheet

(General Serial No. 32.)

189

No.

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT.

The Respondents have only
put their names entered
in the Register. None
has received a Samad.
Some part of the disputed
lands are in their possession.
It is not clear whether
they held the office.

This suit was sent
down to the lower court
for decision. The fore-
principal facts are
not clearly known
on a perusal of the
records again. *

The Court sees no utility in reversing the order of Major Elliot's of 4th May 67 confirming the Major Luck to ~~[illegible]~~ Appellant. The Dy. Comm's decision is revised & the Office is confirmed to appellant.

(Sd) A.C. Hay
Supdt

From Asstt. Supdt. Shimoga Dt.
To the amildar of
Chennagiri

Darkast No. 27 is recd.

Nadig Guttappa has petitioned that the Patell of Honnabagi village had been belonged to his father Nadig Marulappa & praying in consequence for the Office. There is no evidence in the records to show that he & his father performed the Office from [illegible] (year) Nor the Patell Registers show it.

1. In the Register of 1835

Here

(General Serial No. 62.)

189

No.

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT.

There is an entry to the effect that (1) Ramiah (2) Kaliah (3) Ranganah were performing the duties (2) In the Register of 1874 an entry that (1) Ramiah & (2) Kaliah were performing the duties (3) In the Register of 1865 that (1) Ramiah & (2) Kattiah & on Karlaswami were doing it

As per note as above

as the office has long gone
out of his possession
he cannot get orders
for obtaining the office
now

2 Augt 1864 — Shimoga

(10) —

19

J.V.R
19/7/92

~~D. R. Vol. II~~
~~10180~~

3805

L. R. 157

OFFICE OF THE DEWAN OF MYSORE
1 - MAR. 92

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 1892 [illegible]

[illegible] 23 1/3 [illegible]

[illegible]

By order

[signature]

Chief Secretary

REGD. No. 899 R
DATE 20-6-92

[illegible] 17-3-92

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 147

[illegible]

[illegible] 1864

[illegible] 10-8-65

[illegible]

[illegible] 2410 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

22

(3)

Y. P. 107—91—3

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
13 August 1892.

Endorsement granted to Ezhibaciah Sangahjie Brother of Nonnéhage, Chennagiri Taluk, Shimoga District
in reply to Their Petition Registered No. 385-39 dated 14.2.92 - 17.3.92.

Petitioner is informed that Their appeal is rejected as it are
was not preferred within the time prescribed
by law.

2. The mem: is returned.

1/8.

D.R. Vol. II
10131

"By Order,"

Draft.

12/8

Chief Secretary.

13-8-92

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

23

899/92

23

899792

24

(General Serial No. 32.)

1894.

S.R. 107-91-4

No. 2744

Name of Petitioner. Kasilasiah

Village. Honnetagi

Taluk. Tirthahalli

District. Shimoga

Date of Arzi. 26-2-94

Date of Receipt. 26-2-94

Date of Disposal.

No. of Enclosures. Nil

ABSTRACT.

Vide reference to this office endorsement No. 3805-89 dt. 1892, the petitioner states that the case of limitation was brought to issue three years while it was pending in 1869-80, and so not subject to the said law of limitation & prays. Therefore that his appeal may be admitted, that the decree may be reversed, that his petition may be allowed, that his claim may be decided

Vide endorsement in 1890 Memorandum of facts, case for a true copy of the case.

30/6/1894

1

25

Bangalore
25-2-74

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REGD. No. 2644
DATE 26-2-74

Rs 2 court fee stamp affixed
26/2/74

ہے جاری کیا جائے۔ نیز تمام متعلقہ عدالتوں کو ہدایت جاری کی جائے

کہ وہ مقدمہ ہذا کی سماعت کے دوران مدعا علیہ کے خلاف کوئی

کارروائی نہ کریں۔ لہٰذا استدعا ہے کہ مدعا علیہ کے خلاف

دائمی حکم امتناعی جاری فرمایا جائے۔ مدعی کی درخواست

پر عدالت نے مدعا علیہ کے نام سمن جاری کیا۔ مدعا علیہ

نے عدالت میں حاضر ہو کر جواب دعویٰ داخل کیا۔ جس

میں مدعی کے دعویٰ کی تردید کی۔ اور کہا کہ مدعی

کا دعویٰ بے بنیاد ہے۔ اور اس کے خلاف کوئی

کارروائی نہیں ہو رہی۔ لہٰذا مدعی کا دعویٰ خارج

کیا جائے۔ فریقین کے وکلاء کے دلائل سننے کے بعد

عدالت نے مدعی کا دعویٰ خارج کر دیا۔ جس

کے خلاف مدعی نے اپیل دائر کی۔ اپیل

زیر سماعت ہے۔ فریقین کے وکلاء دلائل

دے چکے ہیں۔ فیصلہ محفوظ ہے۔

مدعی کی طرف سے دلائل

مدعی کے وکیل نے کہا کہ مدعا علیہ

نے مدعی کے خلاف جو کارروائی کی ہے

وہ قانون کے خلاف ہے۔ اور مدعی کے

حقوق کو متاثر کرتی ہے۔ لہٰذا

مدعی کا دعویٰ خارج کرنا

درست نہیں۔

مدعا علیہ کی طرف سے دلائل

مدعا علیہ کے وکیل نے کہا کہ

مدعی کا دعویٰ بے بنیاد ہے۔

اور اس کے خلاف کوئی

کارروائی نہیں ہو رہی۔

لہٰذا مدعی کا دعویٰ

خارج کیا جائے۔

Pet 79

16-7-94

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 7522 & 3805 dated January 1892 received at the Dewan's Office from Kanakaiah and 8 others of Bhadravathi Taluk Chennagiri Taluk against the decision of the Asst. Comr. Kadur Dn. in Rev. appeal No. 703/80-81 re the fixation of his boundary regarding the Patel of Bhadravathi village is forwarded, together with its enclosures, to the Dy. Commr. Shimoga for disposal after ascertaining the correctness of the statements made in the petition and submitting a full report in the case. Also the points to be noted in the petition
2. The petitions with their enclosures should be returned

~~D R Vol II~~
~~16122~~

Y.R. 107-91-5

By Order,

Draft

Chief Secretary.

BANGALORE, 30 June 1894
Dated 16.7.94.
Comd under

Sheet 10/7

M.G.C.P, Bangalore.—5-5-94.—1,000.

28

Gen. Serial No. 31.]

Y. R. 157-91-5 1895

OFFICE OF THE
17703
21. JUN. 1895
P. 745
DEWAN OF MYSORE

Subject the Pay Question with reference to the order passed by the Hon'ble the High Court in O.P. No. 1254 of 1894

D.R. No. 1134

From

The Deputy Commissioner
Chitradurga District

To

The Secretary to the Government
General
Dewan of Mysore.

Dated 8th June 1895

Despatched

Received

Enclosures—No. 1 written.
Nil.

General No. 1313
No. 962

With reference to Circle's official Memorandum 1st cited dated 30th June last, granting under Fundamental Rule 54 (a) leave preparatory to retirement on private affairs to Chinnagiri Nayak Sheristadar of this office, I have the honor to forward herewith the petition of the said Chinnagiri Nayak addressed to the Government against the decision of the Superintendent, Nagar Division in Appeal No. 57 of 1894-95 on the file of this Court.

Sd/ [illegible]
Deputy Commissioner

Chinnagiri Nayak is a Sheristadar of the Court of the Deputy Commissioner, Chitradurga. He was suspended from office on the 20th March 1894 on charges of misconduct and corruption in connection with the Pay Establishment of the Chitradurga Taluk Cutcherry. The charges were investigated by the Superintendent, Nagar Division, who found the petitioner guilty on many of the charges and recommended his dismissal from the service. The petitioner appealed against the order of dismissal to the Deputy Commissioner, who, after hearing the petitioner and considering the evidence recorded by the Superintendent, confirmed the order of dismissal. The petitioner has now appealed to the Government against the order of the Deputy Commissioner.

Sd/ [illegible]
1/7/95

Note for Government
2-7-95

Posted 6 24th July
Notice to appt

Sd/ 5/7

Whether the Hon'ble the Dewan's order should be communicated to the petitioner or to the Deputy Commissioner

Sd/ [illegible]
25/7/95

It is not clear whether the petitioner was addressed by the Deputy Commissioner

Sd/ [illegible]
21/6/95

29

1895

From

The Deputy Commissioner

Shimoga District

To

The Special Secretary to the

Government of Mysore

Dated 18th June 1895

No. 1313 / 962 transmitting record

Chief Secretary's Special Memorandum

Petition dated 30th June last forwarding

79 Petitions Nos. 722 and 815 dated January

1870 and February 1872, from Karlakeah

and 3 others of Hemmadi, Channagiri

Taluk, appealing against the decision of

the Inferior Court, Nagar Division, in

Appeal No. 8 of 1870-71 on the file of the Court

for collection of Proceedings and a full

report on the facts of the case.

With reference to the above, the

Issue to forward the entire Proceedings

of the case as per Petitioners' application

dated 18th instant a brief History of the facts of the case

as therein requested.

2. The Petitioners will then receive the

necessary reply.

A Rangaswamy

Deputy Commissioner

BP

Shimoga District
Deputy Commissioner's Office
Shimoga, the 1st June 1935

Memo

One Chandappa put in a petition before the Amildar of Bhadravati on the 8th January 1865 claiming the Patels Vatandaari rights in Jaja gondanahalli Magani, Bhadravati Taluk.

After inquiry, the Amildar of Bhadravati Taluk reported in his Mella No. 27 of 5.-5.-65 as follows:—

That in the Patels Register of 1830, it is stated that Hadiga Kariyappa is the said disputant's forefathers Karnam, Kattiah and Tengaiah are doing duty.

In the Patels Register of 1841, it is noted that Karnam and Kattiah are doing duty.

In the Patels Register of 1863, it is noted that Karnam and Karibasaiah son of Kattiah are actually doing duty

That no Patta deemed has been received from the ——— Land Revenue Office in the name of any of these persons.

There is no reference to show that Nadig Narasaiah, the old disputant, or any of his successors in heirs urged their claims to the Patta office and received orders.

That Chattagha, the adhuvaidge) adopted son of the said disputant Nadig Narasiah, which that the Khandachariah is performing the duties of Patel at the instance of his father Nadig Narasiah, and therefore the Patta office, may be pleased to direct (Chattagha). That Khandachariah states that he may be continued as Patel, as Nadig Narasiah has entirely given the Patta back to him, and that he is doing the work since "Jaya".

That in the meanwhile, Ramiah and Puttiah urged their claims to the Patta office in 1875, but having

failed to appear and substantiate their claims by documentary evidence their petition was rejected, vide Tahsildar's order No 405 filed with the records.

That Ramesh and Venkatesh, son of Kallesh, are facing the said appellant order. That is true, no one has obtained order to cancel the said appeal.

Upon this, the learned Government Pleader filed the following order, dt 9.10-8-65:—

That neither the petitioner's Counsel for the said appellant Venkatesh had proceeded their hearing prosecuted the duties of said pleader the said.

That it appears from the Tahsildar's Register of 1963 that Ramesh, Venkatesh and Ningesh are facing the suit from the Register of 1964. Ramesh and Kallesh would appear to have done the suit from the Register of 1965 Ramesh and Venkatesh, son of Kallesh, were to

have done the work of Patil, he consequently the Petitioner Chattegha does not appear to have returned back in the Patil from a long time, and no order could be passed now in his favor.

Upon the above order Chattegha filed an appeal in the Court of the Superintendent, Nagar Division, (Appeal case No. 94 of 1800-06) in which the Division Superintendent directed that inquiry should appear that Petitioner (Abdullah) adopted father Nadig Narsiah, name to forthcoming in the Patil register of 1865, the other persons are stated to be doing the work of Patil as recorded in the Register of 1841 and the Respondent (Bandravanikiah) is performing the duties since the last 30 years, and that Assistant Chattegha had no concern of the office at all. In the foregoing circumstances, the Appeal was set aside and the order of the Deputy Superintendent confirmed under Section dated 5.3.06.

(2)

Upon the Chandrasekaran (Pleader) filed an execution application in the Nagar Division Superintendent's Court on the 7th July 66 No 177 soliciting permission to the Public work

This was referred to the Deputy Superintendent with Kutcherie No 225.

The Deputy Superintendent in returning the execution application to the Division Superintendent stated in his order of the Deputy Superintendent directing that Chattiyan had no right in the Public, and that he have no right to Chandrasekaran's right appeared that Kannan and Karthikeyan who are doing the duties from a long time cannot be sacked from the office (vide Kutcherie No 225 dated 31-12-66 of the Division Superintendent)

On the 7th July 66 Kannan and Karthikeyan presented a petition to the

Deputy Superintendent states that they heard that on the petition filed by Plaintiffs, Defendants' Exhibit "A" has been approved and the petition of Plaintiffs rejected, that certain Plaintiffs, not Defendants, were claimants to the Patch, and insisted that the Patch might be continued in their name. The petition was taken on the file as Ex. No. 39 Pltf.-Op. and the following order was passed.

"The Officers from these Proceedings that the Applicants (Defendants) have acted as Patel of the Village since the year 83 according to the Statement, or Certificate annexed in respect of a gift from Mirabai, a relative and Pujari. The Mirabai's name appears in the Register but that is all and no proof of the gift is adduced. By the evidence of the witnesses Jawahar, Defendant's own witness. Ex. 83) Plaintiffs claim was rejected by the Asst. Superintendent. The Plaintiffs (Respondents) in the case of Mirabai

whose name appears in the register, no claim appears to have been presented by this mail till now. It is necessary to call for the office. Daily the superintendent has enquired the claim of the defendant in a suit preferred by Hanley Stratigraphy for the Parish, and it having been filed by the Company that 12 years acceptance. Enquire the right of the holder, the right of defendant will have to be enquired 4.5.07.

The Plaintiff in this case appealed to the Division Superintendent Trade appeal No 16 of 1867-55.

The case was remanded to the Deputy Superintendent with instructions to take further evidence as to the first alleged to in the judgment and give a fresh decision in accordance with the ascertained facts.

The Deputy Superintendent on receiving further evidence on behalf of the Plaintiffs (Appellants) and perusing the records found that Plaintiffs and Another Parties are in the suit Enjoyment

of the lands in suit, and as their names and of their relatives are mentioned in the Register of S.C.C. Sirsi and S.C.C. it was proved sufficient to appoint a single respectable person as the Court Amin of the names given, and accordingly appointed Sangani, the son of Ramanna Yamaji Gowda as he was the most qualified person. This decision in Darkast dated 5-3-62 (copy filed with appeal petition, received from the Divani Office).

Upon this order Marahari (son of Shantarakshana) appointed at the Division Superintendent, vide Appeal No 7 of S.C.C.

Upon this, the Division Superintendent perused the entire records of the case, reversed the above decision and confirmed the decision of Asst. A. M. Sirsi dated 4-12-62 confirming the right of Shantarakshana and appointed Sri Gen Marahari (appellant) as Amin, vide decision passed by Divani A. C. Day on 25th September 1963.

The present appeal from

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(3)

Karibasseah and others presented with the Chief Secretary's official letter No. 1241 dated 30th June 1894 in regard to the above order.

An extract from the Petition of Petitioners, Register of 1894-95, relative to this case is filed with the records.

Manager
Deputy Commissioner
Chicacole Division

DBL

39

[illegible] of G. B. Bowring Esqre Commr. of Angole [illegible]

Jany 1870

Entered [illegible]

Decided by [illegible] 27/1/70

[illegible]

Honored Sir,

I beg respectfully to state that the Gurdi=kary [illegible] of Mouzahs of the Chowdries [illegible] descended to his father [illegible], and in the year 1865 his name was registered after his death I got my name registered and the Honored will find my name in the Register of 1865. In 1832 one [illegible] of Chowdries filed a suit in the Deputy Supdt.'s Court claiming the gurdikary as having descended to his brother from Chandrashekar on the plea that he [illegible] In 1865 a decree was issued to the effect that [illegible] had no right to it. The Supdt. also confirmed this decree. But then the [illegible] issued a [illegible] to the [illegible] directing him to expect work from me and one [illegible] the [illegible]. I finding that the Defendant Chandrashekar's name continued in the above decree I presented an urzee to the Depy. Supdt. to remove Chandrashekar's name from the decree, when he received an endorsement to the effect that his name cannot be removed from the decree. On this I appealed to the [illegible] who referred the case to the Dep. Supdt. for a rehearing when the Dep. Supdt.

4°

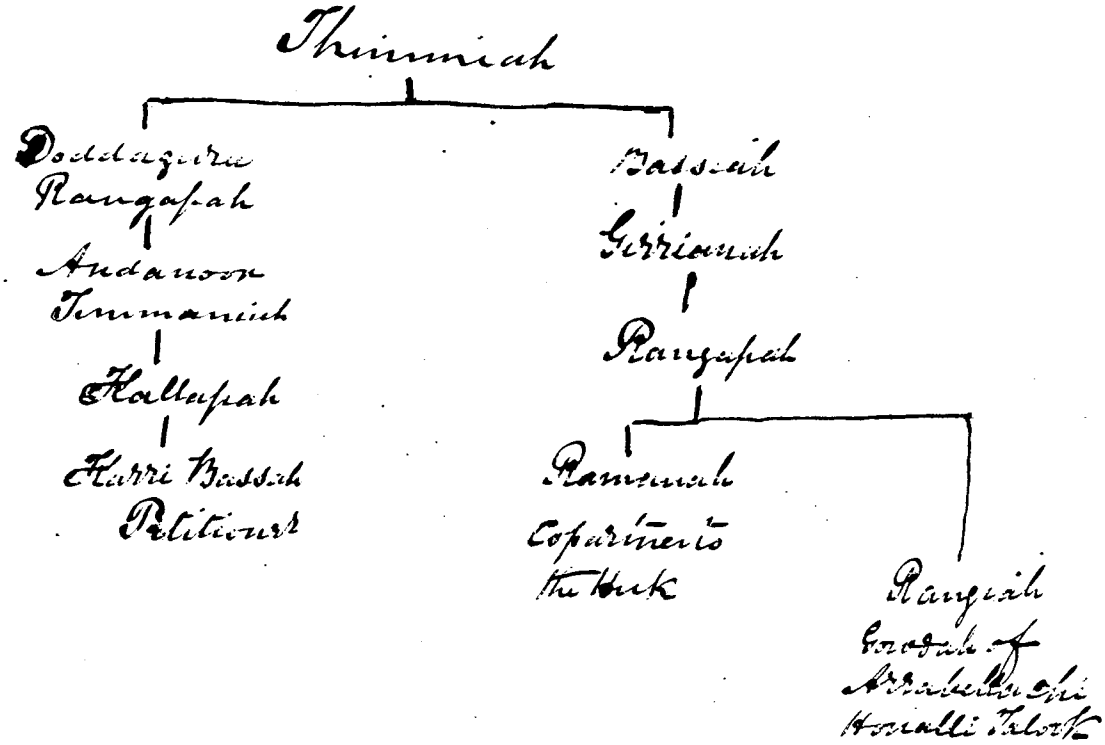
Suffte: Jareed omitted to exact the work from me Gardner Pshyall,
the - (N. The deceased Mr. Kaundankaiah was
Chaulagne Naraliah appointed to the district was
confirmed Naraliah to the Kuk. and passed orders
which he received on the 17th Dec: 1803. by request=
=fully to state that neither Chaundankaiah,
nor he can had any claim to the Kuk at any time.
Can the Registered Hukkas - The Court by
a writ to nominated Naraliah Chaulagne
to the Kuk. This Naraliah is a Chaulagne to
the village and the rules are that one nominated
should not hold two appointments - they should=
=not the business carried to the Chaulagne nomin=
=ating me dead matters to the Kuk, also the Defts
Kuperiff and Kuperintt. decree - And by that the
Chaunal will call for the registers from 1803,
and examine them, which will prove clearly that
Can the Hukkas and the registered are - They are that
the Chaunal will call for the proceedings and
restore me to the Kuk as Can the rightful Kuk=
=dar to the Kuk - Had I not been so, my name
would not have been registered nor would the

Defy: ..

Respectfully sheweth unto your Lordship. I beg to lay my case at your Lordship's feet, where I am sure I will get justice. I beg further to attach a genealogical table.

Bangalore
January 20

I beg to remain
Honored Sir,
Your most Obedient Servant
(Signed) Thimmiah



~~D.R. No. II~~
~~10137~~

L.R. 107-91-7

Proceedings of the Govt of Bijapur

Read:—

(1) Petition No 7522 dated 26th January 1870, presented by Karibasaiya of Honnebagi Channajjiri Salute, appealing against the judgment of Superintendent of Bijapur Division in Revenue Appeal No 7 of 1869-70 regarding the office of Patel of Honnebagi.

(2) Petitions No 3385 & 2544 dated 14th February 1892, & 11th February 1894, respectively, from Karibasaiya, Rangappa, Kottappa and Basappa, of Honnebagi complaining that the appeal filed in 1870 has not yet disposed of.

(3) Letter No $\frac{1313}{962}$, dated 18th June 1895 from the Deputy

Commissioner of Shimoga, reporting that when one Nadij Chattappa applied to recover the office of Patel of Hunsebagi, from Chandra Sekharaiya, grandfather of the present Respondents, Balasangappa, Basappa and Basappa, the Assistant Superintendent rejected his claim in 1866, declaring that Chandrasekharaiya had performed the duties for 30 years; that in July 1866, the 1st Appellant Ramdasaiya, and another filed a suit (O.S. No. 53 of 1866-67) in the Court of the Assistant Superintendent of Shimoga, denying Chandrasekharaiya's right to the office in question, and the Superintendent confirmed the right of Defendants on 14th May 1867; that on appeal, the case was remanded for taking further evidence ~~as necessary~~ ordered by the Deputy Superintendent who on 15th March 1869, decided

the case in favour of Kanhoraja and others; that against the Chandrasekharaja on Rāja Ramalinga (father of the present Respondents) preferred an appeal (No) of 1869-70 to the Division Superintendent who confirmed the Deputy Superintendent's first decision dated 14th May 1867 confirming Chandrasekharaja's right, and appointed his son Ramalinga as Pateli; and that Ramalinga died at the Pattka Pooja Settlement in 1880, the same Ramalinga was appointed.

(4) Proceedings of the case received with the above letter.

— u —

No 3079 / Pol. 633 / 16 11.9.95.

Order thereon.

So long ago as 1837,

the claim not-applicable
by the appellants was rejected
for want of proof. Both
the Lower Courts have found
that it was Chandrashekarayya
and his father who were doing
duties of the Patil for the
previous thirty years. This
state of things has since
continued during the
last 26 years, during which period
Chandrashekarayya son
Narayya who had been
in the interim registered
as Patil died, and his
minor son, the present 3rd
Respondent has been registered
There is no reason to disturb
this long enjoyment. The
appeal is dismissed.

Draft-
C.S.S

11/9/85
Revenue Secretary.

To The Deputy Commr
Shimoga District with
proceedings.

46 1

[illegible] 3805-2544

[illegible]

~~D.R. Vol. II~~
~~10/138~~

L.R. 107-91-8

[illegible]

[illegible] 1869-70 [illegible]

[illegible] 14-2-92 [illegible] 16-2-94 [illegible] 3805-2544 [illegible]

[illegible] 1837 [illegible]